

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TROY KING,
Plaintiff,
v.
HOSPITAL COURIERS NEVADA LLC,
Defendant.

Case No. [4:18-cv-06225-KAW](#)

**ORDER DISCHARGING ORDER TO
SHOW CAUSE; ORDER GRANTING
EXTENSION TO FILE AMENDED
COMPLAINT; ORDER CONTINUING
CASE MANAGEMENT CONFERENCE**

Re: Dkt. Nos. 10, 12

On October 11, 2018, Plaintiff Troy King filed this case against Defendant Hospital Couriers Nevada, LLC. (Dkt. No. 1.) Plaintiff also moved to proceed *in forma pauperis* ("IFP Application"). (Dkt. No. 4.) On October 26, 2018, the Court granted Plaintiff's IFP Application. (Dkt. No. 5.) Pursuant to 28 U.S.C. § 1915(e)(2), the Court then screened Plaintiff's complaint and found it deficient, finding that Plaintiff had failed to set forth a "short and plain statement of the claim showing that the pleader is entitled to relief" and that Plaintiff had failed to establish subject matter jurisdiction. (Dkt. No. 8.) The Court ordered Plaintiff to file an amended complaint that provided the legal and factual basis for all claims by January 25, 2019. *Id.* at 3. Plaintiff did not timely file an amended complaint, so the Court issued an order to show cause on February 14, 2019. (Dkt. No. 10.) Therein, Plaintiff was ordered to respond by March 15, 2019 and explain why his case should not be dismissed for failure to prosecute, and why he did not file the amended complaint by January 25, 2019. *Id.* Additionally, Plaintiff was ordered to file his first amended complaint. *Id.*

On March 14, 2019, Plaintiff filed a response to the order to show cause and explained that he was evicted from his residence and was homeless, which resulted in problems receiving mail, so he did not realize that the screening order and order to show cause were issued until he met

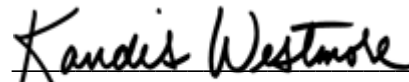
1 with the Legal Help Center on March 12, 2019. (Dkt. No. 12 at 1.) Plaintiff then requested an
2 additional 30 days to file the amended complaint. *Id.* at 2. Plaintiff simultaneously filed a notice of
3 change of address form. (Dkt. No. 13.)

4 Accordingly, the Court DISCHARGES the February 14, 2019 order to show cause, and
5 GRANTS Plaintiff's request for an extension of time to file the first amended complaint. Plaintiff
6 shall file the first amended complaint on or before **April 22, 2019**.

7 Additionally, the case management conference set for April 30, 2019 is continued to **June**
8 **25, 2019** at 1:30 p.m., U.S. District Court, 1301 Clay Street, Oakland, California. The case
9 management statement is due on or before **June 18, 2019**.

10 IT IS SO ORDERED.

11 Dated: March 22, 2019

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13 KANDIS A. WESTMORE
14 United States Magistrate Judge
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